

## Message Text

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ACTION L-03

INFO OCT-01 ISO-00 EB-07 IO-13 SS-15 SP-02 SSO-00 /041 W

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P 271521Z APR 76

FM USMISSGION GENEVA

TO SECSTATE WASHDC PRIORITY 9573

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STADIS////////////////////////////////

FOR L/T, EB/TD AND IO/TRC

EO 11652: N/A

TAGS: ETEL, ITU, PFOR

SUBJ: ITU: RATIFICATION OF MALAGA-TORREMOLINOS CONVENTION -  
U.S. RESERVATION

1. REGINALD SMITH OF ITU EXTERNAL RELATIONS OFFICE CALLED  
TELATT TO HIS OFFICE ON APRIL 26 TO INFORMALLY DISCUSS  
"EMBARRASSING INCONSISTENCY" CONCERNING U.S. INSTRUMENT  
OF RATIFICATION OF SUBJECT CONVENTION.

2. EVIDENTLY, U.S. RATIFICATION WAS SENT TO SENAT AS PART  
OF TELECOMMUNICATIONS PACKAGE WHICH ALSO INCLUDED U.S.  
RATIFICATION OF ITU TELEPHONE AND TELEGRAPH REGULATIONS.  
WE NOTE THE INSTRUMENTS OF RATIFICATION OF BOTH THE CONVENTION  
AND THE T&T REGS WERE APPROVED BY THE SENATE ON JANUARY 22  
AND SIGNED BY PRESIDENT ON MARCH 23 AND 24 RESPECTIVELY.

3. SMITH POINTED OUT THAT "EMBARRASSING INCONSISTENCY"  
WAS IN LANGUAGE OF U.S. RESERVATION OF RATIFICATION OF  
CONVENTION WHICH STATES IN PART THAT U.S. DELCARES IT DOES NOT  
ACCEPT ANY OBLIGATIONS "IN RESPECT OF THE TELEPHONE  
REGULATIONS OR THE ADDITIONAL RADIO REGULATIONS..."  
YET, THE DAY AFTER THE US RATIFIED THE CONVENTION,  
IT RATIFIED THE TELEPHONE REGULATIONS. THUS, WHILE THE  
RESERVATION IS ACCURATE IN ITS REFERENCE TO THE ADDITIONAL  
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RADIO REGULATIONS, IT IS COMPLETELY INACCURATE IN REGARD

TO THE TELEPHONE REGULATIONS.

4. THEREFORE, SMITH POINTED OUT, IF ITU PUBLISHES U.S. RATIFICATIONS OF CONVENTION AND T&T REGS AS THEY STAND, U.S. WILL BE IN ANOMALOUS POSITION OF HAVING STATED IN THE ONE THAT IT DOES NOT ACCEPT OBLIGATIONS IN TELEPHONE REGS (WHICH CONSTITUTES PART OF CONVENTION) BUT IN THE OTHER THAT IT RATIFIES TELEPHONE REGS.

5. SMITH STRESSED INFORMAL NATURE OF HIS APPROACH AND ADVISED TELATT THAT HE WAS INITIAL ITU ACTION OFFICER ON THIS MATTER, PREPARING U.S. DOCS FOR OFFICIAL PUBLICATION AND THAT HE HAS NOT REPORTED EVIDENT INCONSISTENCY IN THESE DOCUMENTS TO HIS SUPERIORS AS YET. HE STATED HE WISHED TO GIVE U.S. OPPORTUNITY TO STRAIGHTEN OUT INCONSISTENCY IN HOUSE PRIOR TO SENDING U.S. DOCUMENTATION FORWARD.

6. TELATT TOLD SMITH HIS COMMENTS WOULD BE REPORTED TO WASHINGTON IMMEDIATELY. PLEASE ADVISE SOONEST.DALE

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## Message Attributes

**Automatic Decaptioning:** Z  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** TREATY RATIFICATION, TELECOMMUNICATION, MALAGA-TORREMOLINOS CONVENTION  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 27 APR 1976  
**Decaption Date:** 28 MAY 2004  
**Decaption Note:** 25 YEAR REVIEW  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** saccheem  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
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**Office:** ACTION L  
**Original Classification:** LIMITED OFFICIAL USE  
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**Reference:** n/a  
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**TAGS:** ETEL, PFOR, US, ITU  
**To:** STATE  
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